

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FRANCIS AULETA,

Plaintiff,

DECISION AND ORDER

09-CV-6612L

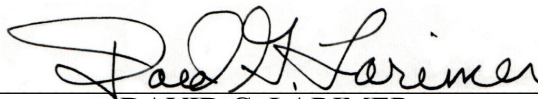
v.

BRIAN FISCHER, Commissioner of the
New York State Department of Corrections and
Community Supervision, et al.,

Defendants.

The Court will hold plaintiff's motion for partial summary judgment (Dkt. #235) in abeyance until plaintiff's motion to amend the complaint (Dkt. #284) is decided by Magistrate Judge Payson. Upon entry of such decision, defendant will have fourteen (14) days to file an additional response to plaintiff's motion for partial summary judgment.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
February 8, 2013.